

MEMO ENDORSED

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March 16, 2022

BY ECF

Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, New York 10007

USDC SDNY
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Re: United States v. Joseph Perlman, 19-cr-531 (ALC)

Dear Judge Carter:

I represent Joseph Perlman in the above-captioned case to request an extension of Mr. Perlman's date of surrender, currently set for March 25, 2022. The government has opposed this request and Mr. Perlman's Pretrial Services Officer in the Northern District of Georgia takes no position in our request but noted that she has had no adverse issues in supervising Mr. Perlman.

Mr. Perlman appeared before Your Honor for sentencing on Friday, December 6, 2019. Subsequently, Mr. Perlman was designated to serve his sentence at FPC-Montgomery. At the June 23, 2020 conference, Your Honor extended his surrender date and is currently at liberty awaiting surrender to BOP Custody and Your Honor's ruling on his Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582 and Memorandum in Support of that Motion, ECF Nos. 27 & 28. Since then, Mr. Perlman has continued to seek treatment for his medical condition. Mr. Perlman's surrender date has been extended several times due to the risks posed to Mr. Perlman by the novel coronavirus 2019 ("COVID-19") and Mr. Perlman's serious medical condition. *See* ECF Nos. 21, 23, 45, 48 and 62. Most recently, on September 24, 2021, Your Honor granted Mr. Perlman's request to adjourn his surrender date due to him recovering from a [REDACTED] procedure that he had March 2021. ECF No. 65. Mr. Perlman's current surrender date is March 25, 2022.

* * *

On March 17, 2021, Mr. Perlman's [REDACTED] Dr. Mohammad Kooshkabadi, performed a [REDACTED] procedure on Mr. Perlman's [REDACTED] to treat his persistent [REDACTED]. This procedure was discussed in detail in Dr. Kooshkabadi's affidavit dated August 24, 2020. *See* First Kooshkabadi Affidavit, ECF No. 41, Exhibit A at ¶¶ 7, 15; *see also* Second Affidavit of Dr. Mohammad Kooshkabadi, ECF No. 60, Exhibit 2. This was the second [REDACTED] procedure that Mr. Perlman received to treat his [REDACTED] condition and to prevent a [REDACTED]. Second Kooshkabadi Affidavit at ¶¶ 7, 11.

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As outlined in the Third Kooshkabadi Affidavit, Dr. Kooshkabadi continued to treat Mr. Perlman and monitor him for post-operative complications from the [REDACTED] procedure, *see* ECF No. 65, Exhibit 1. Dr. Kooshkabadi explains in the attached affidavit (“Fourth Kooshkabadi Affidavit”), that Mr. Perlman has continued to have regular appointments with the doctor and continued his [REDACTED] over the subsequent months. [REDACTED]

[REDACTED] Dr. Kooshkabadi will continue to require regular visits and that Mr. Perlman wear a [REDACTED] periodically to evaluate the efficacy of the [REDACTED] procedure and the condition of his [REDACTED] and confirm that his [REDACTED] is under control. In light of Mr. Perlman’s [REDACTED] condition and medical history, Dr. Kooshkabadi would be greatly concerned if he were unable to continue to monitor and provide the necessary care.

We respectfully request that Your Honor adjourn Mr. Perlman’s surrender date to September 30, 2022. This adjournment would allow him the time he needs to heal from his procedure and complete his necessary medical treatment with Dr. Kooshkabadi—ensuring that serving his sentence does not jeopardize his health.

Respectfully submitted,



Sean Hecker

cc: (by email)

David Abramowicz and Michael McGinnis

Assistant United States Attorneys, Southern District of New York

Emma Moses

United States Pretrial Services Officer, Northern District of Georgia

The application is **GRANTED**.

So Ordered.



3/21/22

Declaration Filed Under Seal